



PATENT
Attorney Docket No.: AVALUC-01701

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of:

Louis Bouchard

Serial No.: 09/697,113

Filed: October 25, 2000

For: **INSTANT MESSAGE
NOTIFICATION APPLICATION**

) Group Art Unit: 2143

) Examiner: Dennison, Jerry

) **NOTICE OF APPEAL**

) 162 N. Wolfe Road
) Sunnyvale, CA 94086
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated October 6, 2004, of the Examiner rejecting Claims 1-20 and 22-27. These claims have been rejected two times.

Enclosed is a check in the amount of \$1,320.00 (\$340.00 to cover the fee for filing a notice of appeal, per 37 C.F.R. § 1.17(b) plus \$980.00 to cover the three month extension of time). The Commissioner is authorized to charge any additional fee or credit any overpayment to our Deposit Account No. 08-1275. **An originally executed duplicate of this transmittal is enclosed for this purpose.**

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Respectfully submitted,

HAVERSTOCK & OWENS LLP

Dated: 15 OCT. '04

By:

Thomas B. Haverstock
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Attorneys for Applicant

CERTIFICATE OF MAILING (37 CFR § 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

HAVERSTOCK & OWENS LLP.

Date: 10-15-04 By: